

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

THEODORE E. WRIGHT, III, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 12-cv-05120-RED
)	
WELLS FARGO BANK, N.A., et al.,)	
)	
Defendants.)	

**DEFENDANT DEUTSCHE BANK NATIONAL TRUST COMPANY'S MOTION TO
DISMISS COUNTS II AND III OF PLAINTIFFS' FIRST AMENDED COMPLAINT**

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant Deutsche Bank National Trust Company hereby moves to dismiss Counts II and III of the petition filed by Plaintiffs Theodore E. Wright III and Sherry K. O'Neal-Wright. The grounds for dismissal are set forth in Defendant's Suggestions in Support of Its Motion to Dismiss Counts II and III, filed alongside this motion and incorporated by reference herein.

WHEREFORE, Defendant Deutsche Bank National Trust Company respectfully requests that the Court enter an order dismissing Counts II and III of the petition filed by Plaintiffs Theodore E. Wright III and Sherry K. O'Neal-Wright with prejudice and granting Defendant any further relief the Court deems just and proper.

Dated: July 15, 2013

Respectfully submitted,

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ATTORNEYS FOR DEFENDANT
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COMPANY

CERTIFICATE OF SERVICE

This certifies that on this 15th day of July, 2013, the foregoing was served via the Court's Electronic Case Filing System, which will send notice to all counsel of record.

/s/ Eric D. Martin _____
Attorney for Defendant